

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Applicant: Duncan

Serial No.: 09/829,249

Filing Date: April 9, 2001

For: ELECTRONIC BOOK WITH MULTIMODE I/O

FAX RECEIVED

APR 04 2006

OFFICE OF PETITIONS

Art Unit: 2137

Examiner: Basom

Case No.: ARC920010027US1

April 4, 2006
750 B Street, Suite 3120
San Diego, CA 92101

**FACSIMILE TRANSMITTAL FOR -RESPONSE TO NOTICE OF ABANDONMENT;
PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b);**

MAIL STOP: Office of Petitions

Commissioner of Patents and Trademarks

Alexandria, VA 22313

Facsimile No.: (571) 273-0025

Dear Sir:

In response to the Notice of Abandonment dated March 29, 2006, Applicant respectfully requests that the above-captioned application be revived.


The Notice of Allowance dated September 27, 2005 was never received. The enclosed Notice of Allowance (incidentally not bearing a due date) was downloaded by Applicant from PAIR after the Notice of Abandonment was received. Since Applicant expended considerable time and resources prosecuting this case through appeal, gaining a reversal, Applicant plainly would have paid the issue fee had the Notice of Allowance been received. Like so many other papers these days, however, the Notice of Allowance was either not sent or lost enroute. Thus, applicant requests a refund of the Petition fee.

Enclosed herewith are the following:

- (1) Notice of Abandonment in 1 page;
- (2) Petition for Revival of an application for Patent Abandoned Unintentionally (PTO/SB/64) in 2 pages;
- (3) A copy of the Response to the Notice of Allowance and Fee(s) Due in 1 page;
- (4) "Fee Address" Indication Form (PTO/SB/47).

X The Commissioner is hereby authorized to charge Deposit Account No. 09-0441 in the amount of \$1500 for the Petition to Revive and \$1700 for the Issue and Publication fees (total of \$3200). The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16 or any patent application processing fees under 37 CFR 1.17 in association with this communication or credit any overpayment to Deposit Account No. 09-0441.

Respectfully submitted,


John L. Rogitz, Attorney of Record
Registration No. 33,549
750 "B" Street, Suite 3120, San Diego, CA 92101

08/02/2006 CKHLOK

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01 FC:1501
02 FC:1505
03 FC:1453

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We are transmitting a total of 6 page(s) including this cover sheet.

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() U.S. MAIL () FEDERAL EXPRESS () MESSENGER (X) WILL NOT BE SENT